

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of FREDERICK LEE-IABARIC
RHIMES, CEDERICK RHIMES, and FAITH
KASHEMER RHIMES, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

FREDERICK RHIMES,

Respondent-Appellant.

UNPUBLISHED

February 1, 2007

No. 271586

Oakland Circuit Court

Family Division

LC No. 05-715461-NA

Before: Borrello, P.J., and Jansen and Cooper, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating his parental rights to the minor children under MCL 712A.19b(3)(b)(i), (g) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The evidence does not show that termination of respondent's parental rights was clearly contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Petitioner requested termination of respondent's parental rights to the minor children at the initial disposition after respondent sexually molested his girlfriend's nine-year-old daughter. Respondent was sentenced to one year in the Oakland County Jail for second-degree criminal sexual conduct. The agency's policy was to refrain from offering services to sexual offenders because termination was sought in accord with MCL 722.683(1)(a)(ii) and (2), which required petitioner to request termination of parental rights if a respondent parent was the suspected perpetrator of criminal sexual conduct involving penetration, attempted penetration, or intent to penetrate. Once termination is the goal, the agency need not offer reunification services.

The best interests evidence indicated that respondent was remorseful and at only a moderate risk of sexually re-offending, and that the children were bonded to him. However, the evidence also showed that respondent lacked insight into his behavior and blamed drugs for his criminal act, used drugs every day and had not sought treatment despite the negative impact on his life, had neglected two other children by different mothers, was at considerable risk of neglecting the children in this proceeding by continuing his pattern of irresponsible behavior, and

had issues involving substance abuse, sexual abuse, intellectual deficits, unemployment and anger management to rectify once he was released from jail. Regardless whether penetration was effected, attempted or intended, and even if services were provided after respondent's release from jail, the evidence clearly showed no reasonable likelihood that respondent would become able to appropriately parent the children within a reasonable time given the number and severity of the issues he needed to rectify. It was not in the children's best interests to wait for respondent to become a responsible parent and a positive influence.

Affirmed.

/s/ Stephen L. Borrello

/s/ Kathleen Jansen

/s/ Jessica R. Cooper